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Attorney for:  
MORRIS BRUCE JACKSON

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON  
(Honorable Salvador Mendoza, Jr.)**

UNITED STATE OF AMERICA, ) NO. 19-CR-2039-SMJ  
Plaintiff, )  
vs. ) DEFENDANT'S SENTENCING  
MORRIS BRUCE JACKSON, ) MEMORANDUM  
Defendant. )

TO: VANESSA R. WALDREF, United States Attorney  
AND TO: THOMAS HANLON, Assistant United States Attorney  
AND TO: RICHARD C. BURSON, Assistant United States Attorney  
AND TO: JENNIFER DYKSTRA, United States Probation Officer

Morris Bruce Jackson, by and through his attorney of record, Ken Therrien hereby submits this sentencing memorandum in preparation for his sentencing hearing scheduled for April 26, 2022 at 9:00 a.m. in Yakima, Washington.

DEFENDANT'S SENTENCING MEMORANDUM  
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1                   **I. Base Offense Level & Enhancements**

2                   Morris Bruce Jackson asserts that the Base Offense Level computation has been  
3 correctly calculated at 14 and with a three-level reduction for acceptance of  
4 responsibility making his total offense level is 21. Mr. Jackson concedes that his  
5 criminal history score is "6" which places him in Criminal History Category III.  
6 Based on these calculations Mr. Jackson confirms the following guideline  
7 calculation:

8                   **Defense guideline calculation.**

10                  1.     Base Offense Level	14
11                  2.     Specific Offense Characteristics	+ 2
12                  3.     Adjusted Offense Level	16
13                  4.     Acceptance of Responsibility	
14                      (U.S.S.G. § 3E1.1(a))	-2
15                      (U.S.S.G. § 3E1.1(b))	-1
16                  5.     Total Offense Level	13
17	
18	
19                  6.     Advisory Guideline Range	18-24 months

20                   Mr. Jackson request the Court consider the following facts and legal authority  
21 in imposing a "sufficient but not greater than necessary" sentence in his case:  
22

23                   **II. Departures**

24                   Mr. Jackson has plead guilty to the criminal behavior identified in his Plea  
25 Agreement with an agreed sentencing range 18-24 months.

III. 18 U.S.C. 3553(a)

18 § USC 3553 sets out factors to be considered by the Court when determining what sentence would be “sufficient but not greater than necessary,” to comply with the purposes of the statute. While no one factor is necessarily more determinative than the other, 18 § USC 3553 provides a sequential list of factors to assist the sentencing Court in its analysis.

The District Court may not presume that the guideline range is reasonable, nor should the guideline factors be given any more or less weight than any other. **United States v. Carty**, 520 F.3d 984, 991 (9<sup>th</sup> Cir. 2008) en banc, citing Rita<sup>1</sup>, Gall<sup>2</sup>, and Kimbrough<sup>3</sup>. The guidelines are but one factor to be taken into account in arriving at an appropriate sentence. **Id.**

## **Nature of the Offense**

Morris Bruce Jackson plead guilty to Count 1: Possession of a Firearm by a Prohibited Person 18 U.S.C. § 922(g)(1), 924(a)(2) of the Indictment filed on July 17, 2019 (ECF 18). Mr. Jackson criminal conduct is identified in paragraph 6, pages 5 – 13 of the sealed plea agreement (ECF 66). This act occurred on or about June 8, 2019.

## The History and Characteristics of the Defendant

Mr. Jackson is 43 years old and born in the Eastern District of Washington. Mr. Jackson grew up on the Yakama Indian Reservation. His father and mother are alive but separated. Mr. Jackson has three brothers and two sisters. Mr. Jackson has one

<sup>1</sup> Rita v. United States, 127 S.Ct. 2456 (2007)

<sup>2</sup> Gall v. United States, 127 S.Ct. 2833 (2007)

<sup>3</sup> Kimbrough v. United States, 128 S.Ct. 558 (2007)

1 son from a previous relationship. Mr. Jackson has a grandchild he has never met. Mr.  
2 Jackson attended school in White Swan and Goldendale, WA. Mr. Jackson obtained  
3 his GED from Goldendale school system.

4 Mr. Jackson reports that his first job was when he was 15 years old. This was a  
5 summer job at Klickitat High School working as a janitor. When he was 19 years old  
6 Mr. Jackson worked for the Department of Natural Resources (DNR) as a fire fighter,  
7 fighting Forest Fires when they occurred. Mr. Jackson reported having this position  
8 for 2 years. Mr. Jackson also reports that he worked for Dairy Queen for 3-4 months  
9 and Yakima Forest Products for 7-8 months. Mr. Jackson also reports that at times he  
10 worked for his father fishing in order to stay out of jail. At the time of his arrest, Mr.  
11 Jackson reported that he was working for Bears Event Services, setting up and taking  
12 down tables and other services for social events.  
13

14 Mr. Jackson reports that in 2017, he was a victim of a brutal attack by  
15 unknown assailants at a residence in White Swan. As reported by Mr. Jackson, he  
16 was staying at this residence when in the middle of the night unknown assailants  
17 entered the residence believing that the inhabitants were not home. Although Mr.  
18 Jackson was staying at the residence with the owner's permission, when the assailants  
19 entered the residence in the middle of the night, they encountered Mr. Jackson and  
20 brutally attacked him. Mr. Jackson reports being stabbed in the back and the stomach  
21 suffering serious injuries. While incarcerated in this matter, Mr. Jackson reports  
22 suffering from night terrors, for which he received meditation.  
23

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1           Promote Respect for the Law, Adequate Deterrence and Protection of  
2           the Public.

3           This has been a traumatic and devastating experience in Mr. Jackson's life.  
4           Mr. Jackson acknowledges that if he does not come to terms with his drug addiction  
5           his future is not very promising.  
6

7           Prior Contact with the Criminal Justice System  
8

9           Mr. Jackson believes the previous sections of the PSIR sufficiently addresses  
10          this issue.

11           **III. Conclusion**

12          18 USC § 3553 instructs the sentencing court to impose a sentence "sufficient  
13          but not greater than necessary" to comply with the purposes set forth in paragraph 2  
14          of its subsection. Based upon the information provided Mr. Jackson respectfully  
15          request that this Court impose a sentence of 18-24 months.  
16

17

18          DATED this 5<sup>th</sup> day of April, 2022.  
19

20

21           \_\_\_\_\_  
22           */s/ Ken Therrien*  
23           KEN THERRIEN, WSBA #20291  
24           Attorney for Defendant  
25

1  
2                   **CERTIFICATE OF SERVICE**  
3

4 I hereby certify under penalty of perjury of the laws of the State of Washington that on  
5 April 5, 2022, I electronically filed the foregoing with the Clerk of the Court using the  
6 CM/ECF System which will send notification of such filing to the following:  
7

- 8
  - Thomas Hanlon, Assistant United States Attorney
  - Richard C. Burson, Assistant United States Attorney
  - Jennifer Dykstra, USPO via email  
9

10  
11                   *s/ Ken Therrien*  
12                   

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